

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY**

MOUNTAIN VALLEY PIPELINE, LLC,

Plaintiff,

v.

CIVIL ACTION NO. 5:23-cv-00625

MELINDA ANN TUHUS,

Defendant.

MOUNTAIN VALLEY PIPELINE, LLC,

Plaintiff,

v.

CIVIL ACTION NO. 5:23-cv-00626

ROSE ZHENG ABRAMOFF,

Defendant.

PLAINTIFF'S MOTION TO STRIKE

Mountain Valley Pipeline, LLC ("MVP"), by counsel, hereby moves, pursuant to Fed. R. Civ. P. 12(f), to strike Defendants' Motion to Dismiss for Failure to State a Claim. [Doc. No. 26]. The grounds for this Motion are more fully set forth in the contemporaneously filed *Plaintiff's Combined Memorandum in Support of Motion to Strike and Response to Motion to Dismiss*, which is incorporated by reference.

WHEREFORE, MVP requests that this Honorable Court enter an order striking Defendants' Motion to Dismiss from the record.

Submitted this 28th day of May, 2024.

MOUNTAIN VALLEY PIPELINE, LLC

By Counsel

/s/ Timothy M. Miller

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CERTIFICATE OF SERVICE

The undersigned, as counsel for Plaintiff Mountain Valley Pipeline, LLC hereby certifies that a true and correct copy of the foregoing **PLAINTIFF'S MOTION TO STRIKE** was filed this 28th day of May 2024, through this Court's CM/ECF system which will send electronic notification to the following counsel of record:

William V. DePaulo, Esquire
860 Court Street North, Suite 300
Lewisburg, WV 24901
Counsel for Defendants

/s/ Timothy M. Miller

Timothy M. Miller (WVSB #2564)